

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSEPHINE DRAKEFORD,

Plaintiff,

v.

Docket No.: 07-CV-3490 (RMB)(DFE)

KEVIN ROLLINS and DELL, INC.

Defendants.

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**DEFENDANTS DELL INC. AND KEVIN ROLLINS' NOTICE OF MOTION  
TO DISMISS THE COMPLAINT PURSUANT TO RULE 12(b)(1) and 12(b)(6)**

PLEASE TAKE NOTICE that upon Defendants Dell Inc. and Kevin Rollins' Memorandum of Law in Support of its Motion to Dismiss the Complaint, the Declaration of Bryan F. Lewis, Esq., and the Affidavit of Ange Kogutz, together with all documentary exhibits annexed thereto, Defendants Dell Inc. and Kevin Rollins will move this Court, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), on a date to be designated by this Court, at the United States Courthouse located at 500 Pearl St., Room 650, New York, NY 10007, for an order dismissing the Complaint in its entirety.

Dated: Jericho, New York  
September 28, 2007

/S/  
Michael S. Cohen (MC-8371)

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